THE HON'BLE SRI JUSTICE P.S. NARAYANA

Writ Petition No.19019 of 2006

Date: 9th October, 2006

Between :-

Bonthu Chimpa Reddy ..

Petitioner

And

The District Collector, Panchayat Wing,
Krishna District, Machilipatnam
And two others ..
Respondents

THE HON'BLE SRI JUSTICE P.S. NARAYANA

Writ Petition No.19019 of 2006

ORDER:-

1. This Court ordered *notice before admission* on 13-9-2006 and granted *status quo* for a limited period and the same was extended for further limited period subsequent thereto.

2. Heard the Counsel.

3. The Writ Petition is filed for a Writ of Mandamus declaring the action of the respondents in trying to demolish the petitioner's house bearing No.1-25 & 27 (old) 1-39 (New) of Nunna village, Vijayawada Rural Mandal, Krishna District and by leaving the other houses, under the guise of road widening without following due process of law, as highly illegal, arbitrary and violative of Article 14 of the Constitution of India and consequently direct the respondents not to demolish the house property belongs to the petitioner and to pass such other suitable orders.

4. It is stated that the petitioner's father purchased the land and constructed the house in the year 1950. It is also stated that on 11-9-2006 the respondents tried to demolish the house without any notice, without following the due process of law. It is also the grievance of the petitioner that all other houses of similarly placed

persons were left over and the respondents are trying to demolish the house of the petitioner.

5. Be that as it may, it is needless to say that the respondents are bound to follow the due process of law before taking up any demolition activity. In view of the same, the Writ Petition is disposed of directing the respondents not to carry any demolition activity in relation to the subject matter of the Writ Petition unless and until the respondents follow due process of law. With the above direction, the Writ Petition is disposed of. No order as to costs.

_____

Justice P.S.Narayana

9th October, 2006

smr